

# Santa Fe Weekly Gazette.

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[NUMBER 28.]

## SANTA FE WEEKLY GAZETTE.

### TERMS.

WEEKLY—\$2 50 a year, payable invariably in advance; single copies 12 1-2 cents. Advertisements, \$1 00 per square of ten lines for the first insertion, and 50 cts. for every subsequent insertion.

## JOHN S. WATTS, ATTORNEY AND COUNSELLOR AT LAW, Santa Fe, New Mexico.

Office in the house formerly occupied by Messrs Smith & Houghton.  
Santa Fe, March 25, 1854.—v3.n41.1f.

Joel Walker. W. H. Chick

### WALKER AND CHICK.

Commission Merchants, Kansas Mo.  
REFER TO  
Col. Robert Campbell, Messrs. Riley & Christy  
St. Louis Mo. St. Louis Mo.  
Santa Fe New Mexico October 7, 1854.—t. f.

### KEARNEY AND BERNARD.

General outfitting establishment Westport Missouri  
Will keep constantly on hand a variety of merchandise of all descriptions adapted to the California and Santa Fe trade. Persons going across the plains would do well to give them a call. Will also have on hand Wagons, Oxen and other necessities suitable for emigrants—All orders from reliable sources promptly attended to.

### KEARNEY & BERNARD

Santa Fe New Mexico Oct. 7 1854.—5.f.

### STAGE LINE.

Independence Mo., to Santa Fe N. M.  
Leaving each end of the route the first day of each month.

### Fare through.

From November 1st to May 1st \$150.  
From May 1st to November 1st \$125.  
Packages and extra baggage 35 cents per lb. in summer, and 50 cents in winter, but no package charged less than one dollar. All baggage at the risk of the owner, and no responsibility for any package worth over fifty dollars unless contents given and specially contracted for.  
Provisions, arms, and ammunition furnished by the proprietors. All passage money must be paid in advance.

### HOCKADAY & HALL.

November 2, 1855.

### NOTICE TO THE INHABITANTS OF NEW MEXICO.

The Surveyor General of New Mexico, by order of Congress, approved on the 22nd July 1854, is required to make a full report on all such claims as originated before the session of the Territory to the United States, by the treaty of Guadalupe Hidalgo of 1848, defining the boundaries of title with the Republic of Mexico, and the validity or invalidity of each of the same under the laws, usages, and customs of the country before its cession to the United States. And he is also required to make a report in respect to all claims existing in the Territory, showing the extent and locality of each, stating the number of claimants in the said Pueblos respectively, and the nature of their titles to the land. Such report to be made according to the form which may be prescribed by the Secretary of the Interior, which report shall be laid before Congress for their action thereon. It may be deemed just and proper with a view to settling the claims and give full effect to the Treaty of 1848, between the United States and Mexico.

Claims in every case will be required to file a written notice, setting forth the name of the "present of mind," name of the original claimant, nature of claim, whether inchoate or perfect, its date—from what authority the original title was derived—with a reference to the evidence of the power and authority under which the granting officer may have acted—quantity claimed, locality, title and extent of conflicting claims, if any with reference to the documentary evidence and testimony relied upon to establish the claim, and to show transfer of right from the "original grantee" to present claimant.

Every claimant will also be required to furnish an authentic plat of Survey, if a survey has been executed, or other evidence, showing the precise bounds and extent of the tract claimed.  
To enable the Surveyor General to execute the duty thus imposed on him, by law, he has to request all those individuals who claimed lands in New Mexico before the treaty of 1848, to produce the evidence of such claims at this office at Santa Fe, as soon as possible.

### TO DONATION CLAIMANTS.

The act of Congress, above referred to, grants 100 acres of land to every white male citizen of the United States, or every white male above the age of 21 years, who has declared his intention to become a citizen, now residing in New Mexico, and who was so residing prior to 1st January 1853; and to every white male citizen of the United States, and to every white male above the age of 21 years, who has declared his intention to become a citizen, who was residing in the Territory on the 1st January 1853, or who shall remove to and settle there at any time prior to the 31st January 1858 the same law also grants 100 acres of public land. No claim to any such donation is valid unless the land has or shall be settled on, and cultivated, for four successive years; and no such donation claim is allowed to interfere in any manner with any claim recognized by the Treaty of Guadalupe Hidalgo.

All individuals claiming the benefit of such donation will find it to their interest to give the earliest possible information to the Surveyor General as to the localities of their settlements, in order to enable him to direct his surveying operations accordingly. The localities in each county shall be described as distinctly as possible in reference to any and all notable objects in the vicinity.

Given under my hand at my office at Santa Fe this 18th day of Jan. A. D. 1855.  
WILLIAM PELHAM,  
Surveyor General of New Mexico.  
Santa Fe, Jan. 27, 1855.—15.-34.

### PUBLISHED BY AUTHORITY.

### LAWS OF THE UNITED STATES.

### [CONTINUED.]

### TREATIES.

## FRANKLIN PIERCE, PRESIDENT OF THE UNITED STATES OF AMERICA.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas a treaty was made and concluded at

Fort Atkinson, on the twenty seventh day of July, A. D. one thousand eight hundred and fifty three, between the United States of America, by Thomas Fitzpatrick, the chiefs and headmen of the Comanche, Kiowa, and Apache tribes or nations of Indians, which treaty is in the words following to wit:

Articles of a treaty, made and concluded at Fort Atkinson, in the Indian Territory, of the United States of America, on the 27th day of July, Anno Domini, eighteen hundred and fifty three, between the United States of America, by Thomas Fitzpatrick, Indian agent, and sole commissioner, duly appointed for that purpose, and the Comanche, Kiowa, and Apache tribes or nations of Indians, inhabiting the said Territory, south of the Arkansas River.

Article 1. Peace, friendship, and amity shall hereafter exist between the United States and the Comanche, Kiowa, and Apache tribes of Indians, parties to this treaty, and the same shall be perpetual.

Article 2. The Comanche, Kiowa, and Apache tribes of Indians do hereby jointly and severally covenant that peaceful relations shall likewise be maintained amongst themselves in future, and that they will abstain from all hostilities what-soever against each other, and cultivate mutual good will and friendship.

Article 3. The aforesaid Indian tribes do hereby fully recognize and acknowledge the right of the United States to law and mark out roads or highways—to make reservations of land necessary thereto—to locate depots—and to establish military and other posts within the territories inhabited by the said tribes, and also to prescribe and enforce, in such manner as the President or the Congress of the United States shall from time to time direct, rules and regulations to protect the rights of persons and property among the said Indian tribes.

Article 4. The Comanche, Kiowa, and Apache tribes, parties to this treaty, do further agree and bind themselves to make restitution or satisfaction for any injuries done by one band or any individual of their respective tribes to the people of the United States, who may be lawfully residing in or passing through their said territories; and to obtain hereafter from the United States, for any such injuries, from the lands of the United States, or from the lands of the said tribes, such compensation as may be deemed just and proper by the President of the United States, or by the Congress of the United States, in his or their discretion.

Article 5. And whereas the United States of America have, by late treaty stipulations, entered into with the Republic of Mexico, obligated themselves to protect and defend those provinces of the Republic of Mexico, which lie contiguous to the boundaries of the United States, from the depredations of the various Indian tribes dwelling within the jurisdiction of the United States, and to enforce a restitution of all Mexican prisoners held and retained by the said Indians, and to maintain the peace and security of the said provinces against all such hostile aggression; therefore:

Article 6. In consideration of the foregoing agreements on the part of the Comanche, Kiowa, and Apache tribes, parties to this treaty, of the losses which they may sustain by reason of the travel of the people of the United States through their territories—and for the better support, and the improvement of the actual condition of the said tribes—the United States do bind themselves, and by these presents stipulate to deliver to the Comanche, Kiowa, and Apache tribes aforesaid, the sum of eighteen thousand dollars per annum, for and during the term of ten years next ensuing from this date, and for the additional term of five years, if, in the opinion of the President of the United States, such extension shall be advisable;—the same to be given to them in goods, merchandise, provisions, or agricultural implements, or in such shape or form as he may select, and as the President of the United States may designate, and to be distributed amongst the said several tribes in proportion to the respective numbers of each tribe.

Article 7. The United States do moreover bind themselves, in consideration of the covenants contained in the foregoing articles of this treaty, to protect and defend the Indian tribes, parties hereto, against the commission of any depredations upon them, and their territories, by the people of the United States, for and during the term for which this treaty shall be in force, and to compensate them for any injuries that may result therefrom.

Article 8. It is also stipulated and provided, by and between the parties of this treaty, that should any of the Indian tribes aforesaid violate any of the conditions, provisions, or agreements herein contained, or fail to perform any of the obligations entered into on their part, then the United States may withhold the whole or a part of the annuities mentioned in the sixth article of this treaty, from the tribe so offending, until in the opinion of the President or the Congress of the United States, proper satisfaction shall have been made, or until persons amongst the said Indians offending against the laws of the United States shall have been delivered up to justice.

Article 9. It is also consented to and determined between the parties hereto, that the annuities to be given on the part of the United States, as provided in the sixth article of this treaty, shall be delivered to the said Indian tribes collectively, at or in the vicinity of Beaver Creek, yearly, during the month of July in each year, until some other time and place shall have been designated by the President of the United States, in which even the said Indian tribes shall have due notice thereof, and the place of distribution which may be selected shall always be some point within the territories occupied by the said tribes.

In witness whereof, the said Thomas Fitzpatrick, Indian agent, and sole commissioner on the part of the United States, and the undersigned chiefs and headmen of the Comanche and Kiowa, and Apache tribes or nations, have hereunto set their hands, at Fort Atkinson, in the Indian Territory of the United States, this twenty seventh day of July, A. D. eighteen hundred and fifty three.

THOMAS FITZPATRICK.

Indian Agent, and Commissioner on behalf of the United States.

B. GRATZ BROWN, Secy.

B. H. CHILTON.

B. T. MOYLER.

WULEA-BOO, his x mark (Shaved Head),

chief Comanche.

WA-YA RA-TOSA, his mark (White Eagle),

chief of band.

HAI-NICK-SU, his x mark (The Crow),

PABO SA-WA NO, his x mark (Ten Sticks),

do.

WA-RA-DON-ALTA, his x mark (Poor Ca-

yoote Wolf), do.

KAN-AM-TAH, his x mark (One that rides

the Clouds) chief of the southern Comanches.

THAU-SUN, his x mark (Little Mountain),

chief Kiowa.

SI-TANK-KI, his x mark (Sitting Bear) war

chief.

TAH-KA-EB-BOOL, his x mark (The Bad

Smelling Saddle) headman.

CHIK-KOON-KI, his x mark (Black Horse),

ON-TI-AN-TE, his x mark (The Snow Flak-

le).

EL-BO-IN-KI, his x mark (Yellow Hair),

SI-TAH-LE, his x mark (Poor Wolf) chief

Apache.

OH-AH-TE-KAH, his x mark (Poor Bear)

Headman.

MI-ZAH, his x mark (Prairie Wolf),

KOOTZ-ZAH, his x mark (The Cigar)

Witness:—

B. R. DAYTON,

Gen. M. Alexander,

T. Polk,

J. Collier, Jr.

And whereas the said treaty having been submitted to the Senate of the United States, for its constitutional action thereon, the Senate, on the 12th day of April, one thousand eight hundred and fifty four, advised and consented to the ratification of its articles, with amendments thereto, proposed, by a resolution in the words and figures following, to wit:

"In executive session, Senate of the U. S."

"April 12, 1854.

"Resolved, (two thirds of the senators present concurring) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Fort Atkinson, in the Indian Territory of the United States of America, on the 27th day of July, Anno Domini 1853, between the United States of America, by Thomas Fitzpatrick, Indian agent, and sole commissioner, duly appointed for that purpose, and the Comanche, Kiowa, and Apache tribes or nations of Indians inhabiting the said Territory south of the Arkansas River, with the following amendments:—

"Article 5, strike out the following words:—

"And whereas the United States of America have, by late treaty stipulations entered into with the Republic of Mexico, obligated them-

selves to protect and defend those provinces of the said Republic which lie contiguous to the boundaries of the United States, from the depredations of the various Indian tribes dwelling within the jurisdiction of the United States, and to enforce a restitution of all Mexican prisoners held and retained by the said Indians, and to maintain the peace and security of the said provinces against all such hostile aggression; therefore:

"Article 5, line 18, strike out the word 'said.'"

"Add the following as a new article:—

"Article 10. It is agreed between the United States and the Comanche, Kiowa, and Apache tribes of Indians, that should it at any time hereafter be considered by the United States as a proper policy to establish farms among and for the benefit of said Indians, it shall be discretionary with the President, by and with the advice and consent of the Senate, to change the annuities herein provided for, or any part thereof, into a fund for that purpose."

"Attest:—

ASBURY DICKINS,

Secretary.

And whereas the amendments proposed by the Senate in their resolution of April 12th, eighteen hundred and fifty four, above recited, were duly presented for consideration to the chiefs and headmen of said tribes of Indians, in council assembled, and were, in said council, accepted, ratified, and confirmed, in manner following to wit:—

We, the undersigned chiefs, headmen, and deputies of the Comanche, Kiowa, and Apache tribes of Indians, parties to the treaty concluded at Fort Atkinson, on the 27th day of July, Anno Domini, 1853, having had fully explained to us the amendment made to the same by the Senate of the United States, on the 12th day of April, 1854, which is in the following words, to wit:—

"AMENDMENTS.

"Article 6, strike out the following words.

"And whereas the United States of America have, by late treaty stipulations entered into with the Republic of Mexico, obligated themselves to protect and defend those provinces of the said Republic which lie contiguous to the boundaries of the United States, from the depredations of the various Indian tribes dwelling within the jurisdiction of the United States, and to enforce a restitution of all Mexican prisoners held and retained by the said Indians, and to maintain the peace and security of the said provinces against all such hostile aggression; therefore:

"Article 5, line 18, strike out the word 'said.'"

"Add the following as a new article:—

"Article 10. It is agreed between the United States and the Comanche, Kiowa, and Apache tribes of Indians, that should it at any time hereafter be considered by the United States as a proper policy to establish farms among and for the benefit of said Indians, it shall be discretionary with the President, by and with the advice and consent of the Senate, to change the annuities herein provided for, or any part thereof, into a fund for that purpose."

"Attest:—

W. H. CHICK,

Secretary.

And whereas the said treaty having been submitted to the Senate of the United States, for its constitutional action thereon, the Senate, on the 12th day of April, eighteen hundred and fifty four, advised and consented to the ratification of its articles, with amendments thereto, proposed, by a resolution in the words and figures following, to wit:

"In executive session, Senate of the U. S."

"April 12, 1854.

"Resolved, (two thirds of the senators present concurring) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Fort Atkinson, in the Indian Territory of the United States of America, on the 27th day of July, Anno Domini 1853, between the United States of America, by Thomas Fitzpatrick, Indian agent, and sole commissioner, duly appointed for that purpose, and the Comanche, Kiowa, and Apache tribes or nations of Indians inhabiting the said Territory south of the Arkansas River, with the following amendments:—

"Article 5, strike out the following words:—

"And whereas the United States of America have, by late treaty stipulations entered into with the Republic of Mexico, obligated themselves to protect and defend those provinces of the said Republic which lie contiguous to the boundaries of the United States, from the depredations of the various Indian tribes dwelling within the jurisdiction of the United States, and to enforce a restitution of all Mexican prisoners held and retained by the said Indians, and to maintain the peace and security of the said provinces against all such hostile aggression; therefore:

"Article 5, line 18, strike out the word 'said.'"

"Add the following as a new article:—

"Article 10. It is agreed between the United States and the Comanche, Kiowa, and Apache tribes of Indians, that should it at any time hereafter be considered by the United States as a proper policy to establish farms among and for the benefit of said Indians, it shall be discretionary with the President, by and with the advice and consent of the Senate, to change the annuities herein provided for, or any part thereof, into a fund for that purpose."

"Attest:—

W. H. CHICK,

Secretary.

And whereas the said treaty having been submitted to the Senate of the United States, for its constitutional action thereon, the Senate, on the 12th day of April, eighteen hundred and fifty four, advised and consented to the ratification of its articles, with amendments thereto, proposed, by a resolution in the words and figures following, to wit:

"In executive session, Senate of the U. S."

"April 12, 1854.

"Resolved, (two thirds of the senators present concurring) That the Senate advise and consent to the ratification of the articles of a treaty made and entered into at Table Rock, near Rogue River, in the Territory of Oregon, this 10th day of September, Anno Domini, 1853, by and between Joel Palmer, Superintendent of Indian Affairs, and Samuel H. Culver, Indian Agent, on the part of the United States, and Jo. Ape-er-ka-har, principal chief, Sam. To-quah-ear, and Jim. Awa-chah-a-reh, subordinate chiefs, and others, headmen of the bands of the Rogue River tribe of Indians, on the part of said tribe, with the following:

"AMENDMENT.

"Add the following as a new article.

"Article 7. It is agreed between the United States and the Rogue River tribe of Indians,

(Continued on fourth page.)

thereof, into a fund for that purpose. Do hereby accept and consent to the said amendments to the treaty aforesaid, and agree that the same may be considered as a part thereof.

In testimony whereof we have hereunto set our hands and affixed our seals, this twenty first day of July, A. D. eighteen hundred and fifty four.

### COMANCHES.

Tocheranahboe, (Shaved Head) his x mark.

Wahabatoa, (White Eagle) his x mark.

Hainicksen, (Crow) his x mark.

Tyharroty, (one who runs after women) his x mark.

Parassaramno, (Ten Bears) his x mark.

### KIOWAS.

Tahansen, (Little Mountain) his x mark.

Tisonki, (Sitting Bear), his x mark.

Kontyka, (Wolf outside), his x mark.

Executed in presence of

Aquilla T. Ridgeley, Assistant Surgeon, U. S. A.

A. H. Plummer, Brevet second Lieut. 6 In-

fantry.

Paul Correy.

John Kinney, U. S. Interpreter.

H. E. Nixon, clerk.

I certify that the foregoing amendments to the treaty of the 27th day of July, 1853, were read and explained to the chiefs, and that they consented to, and signed the same on the 21st day of July, 1854.

J. W. WHITEFIELD Indian Agent.

Now, therefore, be it known, that I FRANKLIN PIERCE, President of the United States of America, in pursuance of the advice and consent of the Senate, as expressed in their resolution of April twelfth, eighteen hundred and fifty four, do accept, ratify, and confirm the said treaty, with the amendment.

In testimony whereof, I have caused the seal of the United States to be herewith affixed, having signed the same with my hand.

Done at the city of Washington, this twelfth day of February, in the year of our Lord [U. S.] eighteen hundred and fifty four.

FRANKLIN PIERCE,

By the President:

W. L. MARCY,

Secretary of State.

FRANKLIN PIERCE.

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, greeting.

Whereas a treaty was made and entered into at Table Rock, near Rogue River, in the Territory of Oregon, this tenth day of September, A. D. 1853, by and between Joel Palmer Superintendent of Indian Affairs, and Samuel H. Culver, Indian Agent on the part of the United States, and Jo. Ape-er-ka-har, principal chief, Sam. To-quah-ear, and Jim. Awa-chah-a-reh, subordinate chiefs, and others, headmen of the bands of the Rogue River tribe of Indians, on the part of the said tribe.

Article 1. The Rogue River tribe of Indians, do hereby cede and relinquish, for the considerations hereinafter specified, to the United States, all their right, title, interest, and claim to all the lands lying in that part of the Territory of Oregon, and bounded by lands designated as follows, to wit:

Commencing at a point one mile below the mouth of Applegate Creek, on the south side of Rogue River, running thence southerly to the highlands dividing the waters of Applegate Creek, from those of Athhouse Creek, thence along said highlands to the summit of the Siskiyou range of mountains, thence easterly to Pilot Rock, thence northerly to the summit of the Cascade range, thence northerly along the said Cascade range to Pitt's Peak, continuing northerly to Rogue River, thence westerly to the headwaters of Jump-off-Jo Creek, thence down said creek to the intersection of the same, with a line due north from the place of beginning, thence to the place of beginning.

Article 2. It is agreed on the part of the United States that the aforesaid tribe shall be allowed to occupy temporarily that portion of the above described tract of Territory bounded as follows; to wit: commencing on the north side of Rogue River at the mouth of Egan's Creek, thence up said creek to the upper end of a small prairie bearing in a northwesterly direction from table mountain, or upper Table Rock, thence through the gap to the south side of the cliff of the said mountain, thence in a line to Rogue River, striking the southern base of lower Sable Rock, thence down said river to the place of beginning. It being understood that this described tract of land shall be deemed and considered an Indian reserve, until a suitable selection shall be made by the direction of the President of the United States for their permanent residence and buildings erected the same and provision made for their removal.

Article 3. For and in consideration of the cession and relinquishment contained in article first, the United States agree to pay to the aforesaid tribe the sum of sixty thousand dollars, fifteen thousand of which sum be retained, according to the stipulations of article 4th of a "Treaty of peace made and entered into on the 8th day of September, 1853 between Genl. Jo. Lane, commanding forces of Oregon Territory, and Jo. Ape-er-ka-har, Sam and Jim, subordinate chiefs, on the part of the Rogue River tribe of Indians," by the Superintendent of Indian Affairs, to pay for the property of the whites destroyed by them during the late war; the amount of property so destroyed to be estimated by three disinterested commissioners, to be appointed by the Superintendent of Indian Affairs, or otherwise as the President may direct. Five thousand dollars to be expended in the purchase of agricultural implements, blankets, clothing, and such other goods as may be deemed by the Superintendent, or agent most conducive to the comfort and necessities on said tribe, on or before the first day of September, 1854, and for the payment of such permanent improvements as may have been made by land claimants on the aforesaid reserve, the

value of which to be ascertained by three persons appointed by the said superintendent.

The remaining forty thousand dollars to be paid in sixteen equal annual instalments, of two thousand five hundred dollars each, commencing on or about the first day of September, 1854, in blankets, clothing, farming utensils, stock, and such other articles as may be deemed most conducive to the interests of said tribe.

Article 4. It is further agreed that there shall be erected, at the expense of the United States, one dwelling house for each of the three principal chiefs of the aforesaid tribe, the cost of which shall not exceed five hundred dollars each, the aforesaid buildings to be erected as soon after the ratification of this treaty as possible. And when the tribe may be removed to another reserve, buildings and other improvements shall be made on such reserve of equal value to those which may be relinquished, and upon such removal, in addition to the before-mentioned sixty thousand dollars, the United States agree to pay the further sum of fifteen thousand dollars, in five equal annual instalments, commencing at the expiration of the before named instalments.

Article 5. The said tribe of Indians further agree to give safe conduct to all persons who may be authorized to pass through their reserve and to protect, in their person and property, all persons or other agents sent by the United States to reside among them, and further agree not to molest or interrupt any white person passing through their reserve.

Article 6. That the friendship which is now established between the United States and the Rogue River tribe of Indians shall not be interrupted by the misconduct of individuals, it is hereby agreed that for injuries done by individuals no private revenge or retaliation shall take place; but instead thereof, complaint shall be made by the party injured to the Indian agent, and it shall be the duty of the chiefs of the said tribe, that upon complaint being made as aforesaid, to deliver on the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States, and in like manner if any violation, robbery or murder shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished according to the laws of the United States. And it is agreed that the chiefs of the said tribe shall, to the utmost of their power, exert themselves to recover horses or other property which has or may be stolen or taken from any citizen or citizens of the United States, by any individual of said tribe, and the property so recovered shall be forthwith delivered to the Indian agent, or other person authorized to receive the same, that it may be restored to the proper owner.

And the United States hereby guarantee to any Indian or Indians of the said tribe a full indemnification for any horses or other property which may be stolen from them by any citizens of the United States, provided, that the property stolen or taken and not recovered, and that sufficient proof is produced that it was actually stolen or taken by a citizen of the United States. And the chiefs and headmen of the said tribe engage, on the requisition or demand of the President of the United States, Superintendent of Indian Affairs, or Indian agent, to deliver up any white person or persons resident among them.

Article 7. [8] This treaty shall take effect and be obligatory on the contracting parties as soon as the same shall have been ratified by the President of the United States by and with the advice and consent of the Senate.

In testimony whereof the said Joel Palmer and Samuel H. Culver, on the part of the United States and the chiefs and headmen of the Rogue River Indians aforesaid